

INDIANA LEGISLATURE

[Omissions and corrections of this report for want of space in these columns will appear in an appendix to Volume XXIII of the Brewer Legislative reports.]

IN SENATE.

WEDNESDAY, March 25, 1885. FEMALE CRIMINALS.

Mr. Foster's bill (S. 274) was read the third time. He said: In the places where there is a Home for Friendless Women this bill provides that the judge may send female convicts to such homes instead of county jails.

Mr. SMITH, of Jay: It seems to me there can come no harm from the passage of this bill.

Mr. BROWN: I am heartily in favor of the provisions of this bill, and think it ought to pass.

The bill passed by yeas 39, nays 0.

Mr. Winter's bill (S. 269) was read the third time. He explained it to be to reimburse the city of Indianapolis for \$3,184.60 expended for the construction of a sewer from the State Women's Reformatory.

The bill passed by yeas 34, nays 2.

CLAIM OF T. AND C. BACHTELL.

Mr. Drake's bill (S. 305) to pay \$1,000 to Teresa and Charles Bachtell, damages for the death of their father at the Insane Hospital in 1882, was read the third time.

Mr. DRAKE knew nothing of this claim except its legislative history.

Mr. SMITH, of Jennings, understood this night employe lost his life by falling to the basement of the building through an opening left uncovered.

The bill passed—yeas, 37; nays, 0.

CLERK'S PER DIEM.

Mr. Overstreet's bill (S. 318) to amend Section 5,857 of the code—to cut off the Clerk's \$2 per diem in the Superior and Criminal Courts, was read the third time and passed—yeas, 36; nays, 11—Messrs Fowler and Brown speaking in its favor.

ORDER OF BUSINESS.

Mr. WHEAT: I have examined the files and find there are thirteen House bills on the third reading and nine on the second reading and two on the first reading, while of Senate bills there are forty-three. While there has been much said about one house considering the bills passed by the other, I think we should transact as much business as possible, and I move to take up House bills on the third reading, while of Senate bills there are forty-three. While there has been much said about one house considering the bills passed by the other, I think we should transact as much business as possible, and I move to take up House bills on the third reading, while of Senate bills there are forty-three.

Mr. YOCHE: The regular order calls for House bills on the first reading. We have been following the regular order and have been following the regular order and have been following the regular order.

Mr. WILLARD: We have reached the order of business which enables every measure from the House to be considered in regular order. What is the use of commencing at the bottom instead of the top? The only true method we can pursue is to follow the order which is proven by past experience to be the best.

Mr. HILLGASS: I favor the motion.

Mr. SMITH: I hope this motion will not prevail. Under the regular order all bills from the House will have a fair show. The best way for deliberative bodies to pursue is to follow the order of business as it is laid down in the rules.

Mr. MCINTOSH demanded the previous question.

The Senate seconded the demand, and under its operations the motion to change the regular order was rejected by yeas 8, nays 29.

Mr. House bills on the files were read the first time, and severally referred to appropriate committees.

The Senate then proceeded to the consideration of House bills on the second reading—in pursuing the regular order.

PHYSIOLOGY IN THE PUBLIC SCHOOLS.

Mr. FOULKE moved to amend the bill (S. R. 16) to require a physiology and hygiene to be taught in the public schools, by striking out from the enacting clause and inserting in lieu of the following:

Section 1. The proper local school authorities shall, on and after September 1, 1885, require all pupils in all common schools, to receive instruction in the study of physiology and hygiene, which shall give special reference to alcoholic drinks, stimulants and narcotics upon the human system.

Mr. SMITH, of Jay, objected to a provision in the amendment which practically prevents parents from saying what studies their children shall pursue.

Mr. TOWNSEND offered a substitute that a system of hygiene shall be taught and that text books selected by the State Board of Education, which was ruled out of order.

Mr. JOHNSON, of Tippecanoe: The decision of the Senate on this matter has already been made—that this bill shall be rejected. No set of men can define the true effects of alcoholic stimulants on the human system in general, because they differ according to the conditions of the system, constitution, temperament, habit, sex and other conditions.

The effect of the measure here proposed is detrimental—a large number of children will be taken out of the schools because such instruction will be given in a fanatical spirit.

AFTERNOON SESSION.

Mr. MCINTOSH read from a school book in support of his argument in favor of the proposed amendment of the bill offered by the Senator from Wayne (Mr. Foulke). Among the best, if not the best, medical minds in the world have condemned alcoholic stimulants.

Mr. SHIVELY: I can not see why the amendment proposed should not be incorporated in the law and made part of our common school education. As there are public acts and laws which, if observed, promote the health of communities, so there are rules of living and habits of life taught and inculcated by competent observers, by attention to which the health of the individual may be preserved. Therefore I think it of paramount importance that it should be taught in our common schools. For many years I have been a close observer of the effects of stimulants and narcotics upon the human system, and my observation has satisfied me that their regular use has a tendency to deteriorate the blood and to weaken and debilitate the body and mind, consequently disease and death frequently result. Therefore I can see no good reason why such facts should not be made known and taught in our common schools. In fact, I am almost inclined to say that the teaching of the physiological effects of alcohol, opium and other narcotics upon the human system should be made compulsory in all our schools.

Mr. WILLARD demanded the previous question, not for the purpose of cutting off debate, but so the Senate may return to the consideration of House bills.

The amendment (Mr. Foulke's) was agreed to upon a division—affirmative, 23; negative, 14.

This Senate amendment was ordered engrossed by yeas 24, nays 21.

Mr. MAGEE (explaining): The sense of the Senate has been taken upon every phase of this question, and it has decided this bill should not become a law. I am inclined to think this is not the right kind of legisla-

tion, and that it will not meet the expectation of its friends.

Mr. THOMPSON: I desire to see the bill amended as I proposed.

Mr. WILLARD: This bill proposes that all pupils, even the A, B, C classes, shall pursue these studies—there is no discretion given. I vote "no."

BALLOTS IN ENVELOPES.

Mr. MARSHALL called up his bill (S. 173) which was read the third time. He said hundreds of men at every election vote two ballots on purpose, and there is a way of so folding two ballots that they will fall apart after being deposited in the ballot-box. The object is to secure a proper count of the God-given right to cast a ballot. In this State there are 2,000 more votes put in the ballot-box than there were men voting.

Mr. WILLARD: Instead of having more machinery, we ought to have less attending our elections. An corrupt man can take money from a candidate and place sealed ballots in the hands of voters without giving them or anyone else an opportunity of knowing what ticket they vote.

Mr. MAGEE: I am opposed to this bill because the method the Clerks there is about the casting of the ballot the more objectionable it is. This bill would be surrounding the ballot box with that sort of formality that may be the means of securing a contrary expression of opinion which an honest count would always demand and produce new rules in the way of a fair count and an honest ballot.

Mr. THOMPSON: This bill is surely in the right direction to purify the ballot-box. The bill failed to pass for want of a constitutional majority—yeas, 21; nays, 17.

DRAINAGE LAWS.

Mr. YOCHE, from the special committee to amend the Circuit Court Drainage Bill (H. R. 122) with sundry amendments. The report was concurred in.

Mr. YOCHE moved that the amendments be ordered engrossed and printed, and made the special order for 2 o'clock to-morrow.

Mr. TELLER resisted the motion to print for the bill to be ready for the morning.

Mr. MACY and Mr. CAMPBELL, of Hendricks, desired to know what they are voting for, otherwise they vote against a measure. They favored the printing.

The motion (Mr. Yoche's) was agreed to.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 25, 1885—9 a. m.

TO PAY THE INDIANA LEGION.

On motion by Mr. COPLAND the bill (S. 325) to pay \$7,000 to members of the Indiana Legion was read the second time.

Mr. CORY: Why is it that these regiments of the Indiana Legion have not been paid before? Why does this come up after fifteen or twenty years? It looks like a money-making scheme. It looks like something is rotten in Denmark.

Mr. MOODY: This money for the Legion was appropriated in 1862 and most of it was paid. The remainder has since been in the State Treasury and this bill is to pay it to those men who have just proved that they are entitled to it.

Mr. SMITH, of Tippecanoe: The bill mentions the regiments. I move to amend by including any other regiment which did State service.

Mr. PATTEN: Further legislation on this subject is unnecessary. The law of 1863 says this money shall be paid to men who were enrolled. If men have not been enrolled, it is their duty to go to the Adjutant General and have their names enrolled.

Mr. CORY: After twenty years it has been discovered that some men did service for the country and their names have never been enrolled. Men who were "home guards" who never dreamed of pay, under this amendment, which proposes to make it general, can draw pay for that service. Many years ago a commission was appointed to consider all this class of claims, and under its action Congress allowed several hundred thousand dollars, which was distributed to the claimants according to the allowance of this commission, as payment in full for such services.

Mr. MOODY: Any amount of men who did serve for the State have not had their names put in this matter by the commission appointed for that. Men were out of the State at that time and were overlooked.

Mr. PENDLETON: This money was earned by members of the Indiana Legion, and should be paid to them. It is a bill for a local measure. Mineral springs in Warren County were recently discovered and some enterprising individuals organized there to build hotels, bath houses and so on.

On his further motion the constitutional rule was suspended—yeas, 77; nays, 8—and the bill passed by yeas 75, nays 5.

LAWS OF INCORPORATED TOWNS.

On motion by Mr. TOWNSEND the bill (S. 102) was read the third time.

Mr. TOWNSEND: We have in Wayne County several little incorporated towns. They ask that they may guard their ordinances by the Justice's Court.

Mr. ENGLE: The only change made to the present law is that if there is no Justice of the Peace in the towns the Justice nearest the town shall have jurisdiction.

Mr. GORDON: This bill amounts to practically nothing. Under our criminal code there is no ordinance of any value under which a man may be arrested which the State laws do not embrace.

Mr. DEEM: As every town has already by law a right to a Justice of the Peace, I think the bill unnecessary.

Under the operations of the previous question, the bill was defeated by yeas 25, nays 59.

Mr. ENGLE: For the reason that there are many town ordinances which the criminal code do not embrace, I vote "aye."

Mr. SMITH, of Tippecanoe: Because I favor permitting the towns to work traps who tramp rather than work, I vote "aye."

Mr. WILLIAMS: I think this bill has been misrepresented. It provides that violators of town ordinances shall either pay or stay fines or labor. I vote "aye."

GRAVEL ROAD CHARTERS.

Mr. FRAZEE'S bill (H. R. 75) to allow Turnpike Companies to extend charters was read the third time.

Mr. FRAZEE: The objectionable figures to this bill having been removed, I hope the House will pass it.

Mr. ENGLE: Many gravel road charters will soon expire. Then the roads become free and there is no provision to keep them in repair. This law provides a means to keep them in repair.

The bill passed by yeas 67, nays 6.

Mr. MAGEE (explaining): There is still one feature in this bill which I object. The charters of some gravel roads are perpetual. Men who live along them pay toll to keep them up. Now under this bill peo-

ple living in the poorer localities will not only have to pay for their own roads, but must also pay tax for keeping up the roads in the more wealthy part of the county. I would gladly vote for some measure to correct the evil. I vote "no."

FORCED CONTRIBUTIONS.

Mr. SAYRE'S bill (H. R. 518) to prohibit corporations from forcing contributions from their employes for hospitals, reading-rooms and the like, was read the third time.

Mr. SAYRE: I do not know what other railroads do, but the Wabash Railway retains from the wages of employes 50 cents per month when they receive \$50 or more per month, and when they receive less than \$50 per month. The pretax is that the money is taken to build a hospital for the injured or sick employes. The total sum thus retained amounts to \$800 per month. It so happens that the employes are always able to care for themselves, and are not hurt. The railway company has no contract with the employes, but merely keeps back this money.

Mr. SMITH, of Tippecanoe: This same corporation is a grasping monopoly, pulling down workingmen, and I favor the bill. We passed a bill the other day to protect employes against just such corporations, and I see that the Wabash has entered suit in the United States Court against the State of Kansas for enforcing the law we passed the other day, that of liability to employes who are injured.

The bill passed by yeas 72, nays 3.

EXEMPTING HIGHWAYS FROM TAXATION.

Mr. GARRISON'S bill (H. R. 200) was read the third time. He said: This bill provides that a man shall not be taxed for portion of his land used as public roads.

Mr. TAYLOR: It is no more than equitable that the land which a man owns, worth 1,000 acres of land much of it is taken up by roads, which he should be relieved from paying taxes on, because the public have the benefit of the land.

Mr. WILSON: See no use of this. It will only burden the statute books. On investigation we find that one two-hundredth part of the land of the State are highways, and that two-thirds of taxation comes from real estate. If you deduct roads from taxation it will only increase the rate of taxation.

Mr. ROBINSON: As a man has no returns from lands used as highways I think he should not be taxed for such.

AFTERNOON SESSION.

Mr. HOBAN: I believe that it would equalize taxes. One man might own a large estate on one side of the road and his neighbor on the other side a small estate. Still, the man with the small estate might have land in a narrow strip lying along the road. He would then be taxed as heavy for the road land as his wealthy neighbor. I think that it will equalize taxes to exempt the roads.

The bill failed to pass by yeas 47, nays 31.

Mr. BARNES, explaining his vote, said: Now that Assessors never fail to deduct the roads, creeks and canals from the tax, it is unnecessary legislation, and voted "no."

Mr. COPLAND: Believing this to be in the interest of farmers—believing that they desire it, and as they have taken up little time of this House, and as very little has been done for this legislation, I vote "aye."

Mr. DEEM: Believing that farmers are already well enough protected, I vote "no."

Mr. LINNVILLE: As a general rule, roads are a benefit more than an injury, and I vote "no."

Mr. OVERMAN: I am surprised that any fair-minded man can vote against this bill. Every measure to relieve the burdens of farmers has been voted down here. You might as well tax lot owners for lands of the streets as to tax farmers for roads. I vote "aye."

So the bill failed to pass for want of a constitutional majority.

THE APPELLATE COURT.

On motion by Mr. WILLIAMS the further consideration of the Appellate Court bill (S. 45) was indefinitely postponed.

THE STATE HOUSE FUNDS.

The bill (H. R. 486) relative to funds to complete the new State House being read—

Mr. MOCK: I have the honor to inform that the money (\$350,000) heretofore appropriated, and now in the Treasury, be appropriated to the State House fund. When this money, collected \$100,000 in 1879 and \$200,000 1883, was not used it went into the general fund in conformity to the views of the Auditor of the State. The State House Commissioners claim that this money should go toward the State House completion. There has been a controversy between the State House Commissioners and the Auditor of State, and this amendment will decide the matter.

Mr. REEVES: It is not necessary to be scared about these funds. They are safe and have not, strictly speaking, been misappropriated. This amendment will decide where the funds belong.

Mr. MOODY: The \$350,000—the \$350,000—was turned over to the general fund without authority of law. There should be no controversy over this. This was done over the opinion of the Attorney General. The State House Commissioners were right and we should not be shy of any action that the Auditor of State turns the funds over to the general fund by authority of law.

Mr. SMITH, of Tippecanoe: We should by all means provide the State House Commissioners with the money to complete the State House. We should confine ourselves to that and not talk about what was wrong about the fund to which this fund belonged.

Mr. McMULLEN: No one has taken the money away. The State House fund must have the money (\$350,000) and the amendment should be agreed to.

The amendment was agreed to.

Mr. MOCK moved to amend further that as there is no money in the general fund of the State Treasury, that the Governor, Auditor and State House Commissioners be authorized to make a temporary loan of \$500,000, of which \$350,000 is to replace the like amount appropriated to the State-house but used in the general fund, and \$150,000 is to be used in the furniture for the building.

The amendment was agreed to.

Mr. ENGLE moved to amend by inserting the proviso that no more than \$2,000,000 be used in the building as intended in the contract.

The amendment was agreed to.

Mr. McMULLEN moved that the rules be suspended, the bill be considered engrossed, read the third time, and put upon its passage. The motion was agreed to—yeas, 75; nays, 2. The bill passed by yeas 79, nays 3.

Exposing a Medium.

It was in San Francisco. She was playing ghost, and somebody said that she was a ghostly garments as she was gliding out of the cabinet. She screamed and cried out that it wasn't fair. One of the beauties of Brown's Iron Bitters is that its beneficial work is all fair and square. People may investigate all they please, and the more they investigate the more they see what wonders this famous tonic has accomplished. Mrs. Eliza Craddock, 381 Sixth street, Harrisburg, Pa., writes: "I found speedy relief from bad blood and indigestion by using Brown's Iron Bitters."

Real Estate Transfers.

The following deeds were recorded Wednesday, March 25, as reported by Steeg & Bernhardt, abstract company, 12 and 15 Thorpe Block. Telephone 1,468.

Phoenix Mutual Life Insurance Company to Alexander Williams et al, quitclaim

to part of lots 10 and 11 in block 2 in Bruce Baker addition to the city of Indianapolis..... \$ 49 50

Henry Miller and wife to Amanda Fitzgerald, warranty deed to part of east half of southwest fourth of section 25, township 13, north of range 2, east..... 125 00

Herman Lieber and wife to Allison C. Remy, warranty deed to lot 9 and part of lot 10 in Danforth & Knox's subdivision of section 17 in the city of Indianapolis..... 7 000 00

John C. New, executor, to Jesse E. Frasier, executor, to part of lots 7 and 8 in square 24 in Beatty's addition to the city of Indianapolis..... 162 00

Ellen Starnes and wife to Patricia T. Merritt, warranty deed to a lot of ground on Meridian street in the city of Indianapolis..... 7 000 00

Charles W. Brouse and wife to Rebecca C. Schofield, warranty deed to lots 22, 23 and 24 in block 12 in Glasgow, Harrison & Co.'s Oak Hill addition to the city of Indianapolis..... 300 00

Benton T. Tohn to Sarah A. Tohn, warranty deed to part of east half of southeast fourth of section 20, township 17, range 3, east, containing 34 acres, also part of east half of northeast fourth of section 20, township 17, range 2, east, containing 4 3/10 acres..... 300 00

John C. New, executor, to James E. Barry, executor's deed to lots 10 and 17 in square 24 in Beatty's addition to the city of Indianapolis..... 134 00

Hymon Cohen and wife to Henry Taylor, quitclaim deed to part of lots 7 and 8 in square 24 in Beatty's addition to the city of Indianapolis..... 45 00

Seth L. Butler and wife to Ferrell Patterson and wife, warranty deed to lot 15 in Eliza Jane and Nelson Hosi's subdivision of part of block 21 in Johnson's heirs' addition to the city of Indianapolis..... 1,800 00

Henry J. Mauer and wife to Frank H. T. Miller and wife, warranty deed to lot 1 in Hall's subdivision of the west half of south half of block 7 in Isaac Harris' subdivision of section 157 in the city of Indianapolis..... 1,200 00

Bela Kahn and husband to Lucinda Walkman, warranty deed to lot 15 in block 2 in Wiley & Martin's north-west addition to the city of Indianapolis..... 800 00

Conveyances, 12, consideration..... \$12,955 50

Flax is receiving much attention in the West. As inventors are rendering it possible to utilize the entire product of flax, it is predicted that in a few years it will be one of the staple crops of the United States.

Stereopticon Exhibition.

An illuminated view of a dyspeptic's stomach would be a frightful sight and a dreadful warning. A view of the interior of a healthy stomach is not unpleasant, but, on the contrary, is a very interesting sight. There is nothing like Brown's Iron Bitters to keep the stomach healthy or to restore it when demoralized by the effects of indigestion. Miss Ida Shivers, Elk City, Md., says: "I suffered from dyspepsia and a general prostration. Brown's Iron Bitters improved me from the start."

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Vanilla, Lemon, Orange, etc. Savor (Cake Creams, Puddings, etc.) as delicately and as really as the fruit from which they are made. FOR STRENGTH AND TRUE FRUIT FLAVOR THEY STAND ALONE.

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BOLD ONLY IN BOTTLES WITH BUFF WRAPPERS. SEE THAT STRIP OVER COOK IS UNWRAPPED.

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